

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 23-80101-CR-CANNON(s)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,**

Defendants.

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**GOVERNMENT'S SUPPLEMENTAL RESPONSE
TO STANDING DISCOVERY ORDER**

The United States of America, by and through the Special Counsel's Office, files this pleading to supplement prior responses (ECF Nos. 30, 59, 80, 92, 113, 122, 143, 172, 184, 190, 199, 204, 235, 253, 273, 291, 330, 362, 371, 417, 575, 600) to the Standard Discovery Order, issued on June 13, 2023 (ECF No. 16). This pleading complies with Local Rule 88.10 and Federal Rule of Criminal Procedure 16.

Per the protective order issued in this case (ECF No. 27), the Government has provided fifteen prior productions of unclassified discovery to Defendants Donald J. Trump, Waltine Nauta, and Carlos De Oliveira. *See* ECF Nos. 30, 59, 80, 92, 113, 122, 143, 172, 184, 235, 253, 273, 291, 330, 362, 371, 575. On June 21, 2024, the Government provided a sixteenth production of unclassified discovery to counsel for Defendants ("Production 16"). Production 16 consists of about 18 pages and primarily consists of photographs taken in October 2022 related to the scanning of unclassified documents seized on August 8, 2022.

Per the CIPA Section 3 protective orders issued in this case (ECF Nos. 150, 151, 152), the Government has provided ten prior productions of classified discovery. *See* ECF Nos. 158 at 3, 165 at 5-6, 173 at 5-6, 187 at 5-7, 190, 199, 204, 235, 252 at 2, 291, 417, 600. On June 20, 2024, the Government provided to the Classified Information Security Officer (“CISO”) in an accredited facility in the Southern District of Florida an eleventh production of classified discovery (“Classified Production 11”). Classified Production 11, which consists of approximately 47 pages, includes the initial placeholder sheets that were put in the boxes to document the removal of classified documents during the August 8 execution of the search warrant but were later replaced with unclassified cover sheets identifying the classified documents by index code, *see* ECF No. 612-5, and one additional After-Action Report.

The Government responds to the specific items identified in the standing discovery order as set forth below.

- B. DEMAND FOR RECIPROCAL DISCOVERY: The United States requests the disclosure and production of those items described and listed in paragraph B of the Standing Discovery Order, and as provided by Federal Rule of Criminal Procedure 16(b).
- C. The Government is providing information or material known to the United States that may be favorable to either defendant on the issues of guilt or punishment within the scope of *Brady v. Maryland*, 373 U.S. 83 (1963), or *United States v. Agurs*, 427 U.S. 97 (1976).
- D. The Government has disclosed and will continue to disclose any payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective Government witnesses, within the scope of *Giglio v. United States*, 405 U.S. 150 (1972), or *Napue v. Illinois*, 360 U.S. 264 (1959).
- J. The Government’s discovery productions include the grand jury testimony and recordings of witnesses who may testify for the Government at the trial of this case.

The Government is aware of its continuing duty to disclose newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, *Brady*, *Giglio*, *Napue*, and the obligation to assure a fair trial.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 21, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Julie A. Edelstein
Julie A. Edelstein